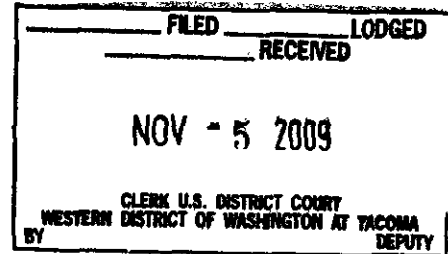


HONORABLE RONALD B. LEIGHTON

09-CV-05434-ORD



UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DAVID ALLEN HAWKINS,

Petitioner,

v.

ELDON VAIL,

Respondent.

Case No. C09-5434RBL

ORDER

The Court, having reviewed the petition, the Report and Recommendation of the Hon. J. Richard Creatura, United States Magistrate Judge, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) The application to proceed *in forma pauperis* is **DENIED**; and
- (3) the Clerk is directed to send copies of this Order to petitioner and to counsel for respondent.

DATED this 5<sup>th</sup> day of November, 2009.

  
RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE